

**Joint Subcommittee
To Study
Recurrent Flooding**

HJ 16 (2014; Del. Stolle); SJ 3 (2014; Sen. Locke)

**November 9, 2015; 1:00 p.m.
General Assembly Building
Richmond, Virginia**

**Potential Recommendations
[for discussion purposes]**

1. Recommend that the joint subcommittee be extended for two additional years and renamed to Joint Committee on Coastal State Resiliency & Recurrent Flooding. (Del. Stolle & Sen. Locke)
2. Living shorelines are shoreline stabilization techniques that use natural habitat elements like grasses and oysters to make properties more resilient to coastal flooding and erosion. They provide an alternative to "hard armoring" approaches such as bulkheads and revetments that can often divert flooding to another coastal area and increase erosion. Section 28.2-104.1 of Code of Virginia provides that living shorelines are the preferred alternative for stabilizing shorelines in the Commonwealth. To encourage the use of living shorelines, VMRC has established a general permit authorizing certain living shoreline approaches. However, some living shoreline treatments are so site-specific that continue to require individual permits. Living shorelines are sometimes more expensive than traditional techniques and some contractors are less comfortable constructing them. Last year, Delegate Hodges sponsored legislation (HB 1734) allowing the Water Facilities Revolving Loan Fund to make loans to localities to install living shorelines or make loans to landowners who wish to do so. VIMS and VMRC are working to educate contractors. Another incentive that may further encourage the use of living shorelines is the establishment of a cost share program where the state would pay a portion (25%?) of the cost for landowners who chose to install living shorelines. This would be administered by VMRC and could either be offered on a first-come, first-served basis or could identify priority areas or practices that would receive a higher priority for funding. (Ms. Rovner)
3. Create via legislation an Assistant to the Governor for Commonwealth Adaptation. (Mr. Bowie)

4. Require via legislation that the Commonwealth of Virginia have a Virginia Adaptation Strategy. (Mr. Bowie)

5. Require via legislation that all Commonwealth of Virginia agencies adopt adaptation plans and report them annually to the General Assembly oversight committees. (Mr. Bowie)

6. Require via legislation that sea level rise and recurrent flooding be addressed in transportation planning and funding decisions. (Mr. Bowie)

7. Require via legislation that Planning District Commissions coordinate regional adaptation planning for sea level rise and recurrent flooding. (Mr. Bowie)

8. During the 2015 Legislative Session, SB 1443 passed that directed localities in the Hampton Roads District to incorporate in their next scheduled review of the Comprehensive Plan strategies to combat sea level rise and recurrent flooding. Consider that 15.2-2223.3 be further amended to require the same Hampton Roads localities to revise their Comprehensive Plans to provide for high density housing areas, based on population growth for the next 30 years, in areas of the localities not to be impacted by sea level rise or recurrent flooding. (Mr. Bowie)

9. Under 58.1-3666, homeowners have to place an easement over their land and argue with the BOS/COR for “tax relief” for wetlands, as described below. I would suggest that 58.1-3666 could be easily modified to add.....**any living shoreline project not prohibited by local ordinance and approved by VMRC or the applicable local wetlands board that satisfies the definition of a living shoreline consistent with § 28.2-104.1 of the Code of Virginia, shall qualify for full exemption of such taxation by local governments.**

Adding this sentence gives the homeowner the ultimate incentive to do the right thing for water quality. AKA—they are not punished for implementing the Commonwealths preferred policy of living shorelines. (Del. Hodges)

10. Recommend that the state establish a stand-alone resiliency officer. (Del. Stolle & Mr. Wood)

11. Recommended planning for Relative Sea Level Rise. (Del. Stolle)

12. Center for Coastal Resiliency (ODU/VIMS) (Del. Stolle)

13. Funding 3 x 3 x 3 program (Del. Stolle)